

7819.5000 INSTALLATION OF TELECOMMUNICATIONS FACILITY.

Subpart 1. **Requirements.** The following requirements pertain to telecommunications facility installation in a public right-of-way.

A. During plowing or trenching of a facility, a warning tape must be placed at a depth of 12 to 18 inches above copper cables with over 200 pairs and above each fiber facility.

B. A directional bore facility within the limits of a city must be placed in conduit below a concrete- or bituminous-paved road surface or in conduit or armored cable in other locations. The conduit or armored cable must be of a type determined by the telecommunications right-of-way user. The city may waive this provision if the right-of-way user agrees to additional marking of the facility. This provision does not apply to residential connections.

C. A buried telecommunications facility must have a locating wire or conductive shield, except for dielectric cables.

D. Unless the local government unit directs that no location markers be placed, a location marker must be placed at least every 1,300 feet, as well as at road crossings and at culverts. For areas outside of cities, unless the local government unit directs that no location markers be placed, the markers must be placed at least every 1,300 feet or within line of sight whichever is less, as well as at road crossings and at culverts.

E. A buried fiber facility installed within the limits of a city must be placed in conduit of a type determined by the telecommunications right-of-way user, unless this requirement is specifically waived by the city. A buried fiber facility beyond city limits must be placed by the telecommunications right-of-way user, in its discretion, using industry-acceptable standards.

F. A buried fiber facility, conditions permitting, must be placed at a minimum depth of 36 inches below the surface and at a maximum depth of 48 inches, unless otherwise altered by the local government unit on a case-by-case basis.

G. In a city, urban town, urban county, or urban service area, conditions permitting, a copper facility buried below a concrete- or bituminous-paved road surface must be placed at a minimum depth of 36 inches below the road surface and a maximum of 48 inches, unless otherwise altered by the local government unit on a case-by-case basis. Any other copper facility in a city, urban town, urban county, or urban service area must be placed at a minimum depth of 30 inches below the surface and at a maximum depth of 48 inches, unless otherwise altered by the local government unit on a case-by-case basis.

H. A copper facility in a public right-of-way not covered in item G, conditions permitting, must be placed at a minimum depth of 30 inches below the surface and at a

maximum depth of 48 inches, unless otherwise altered by the local government unit on a case-by-case basis.

I. The placing of any telecommunications facility must comply with the National Electric Safety Code, as incorporated by reference in Minnesota Statutes, section 326B.35.

J. For purposes of this part:

(1) an "urban town" is a town described in Minnesota Statutes, section 368.01, subdivision 1 or 1a;

(2) an "urban county" is Anoka, Carver, Dakota, Hennepin, Ramsey, St. Louis, Scott, or Washington county; and

(3) an "urban service area" is an unincorporated area within two miles of the corporate limits of a city, over which a joint planning board is authorized to exercise planning and land use control under Minnesota Statutes, section 462.3585.

Subp. 2. **Locating, marking, or exposing facility.** If a telecommunications facility owner is unable to locate its underground facility as required under Minnesota Statutes, section 216D.04, it must expose the facility so that it can be located.

Statutory Authority: *MS s 237.163*

History: *23 SR 2004; L 2007 c 140 art 5 s 32; art 13 s 4*

Published Electronically: *November 14, 2003*